

**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION**

ASHFORD HOSPITALITY PRIME, INC.,)	
)	
Plaintiff,)	
)	
v.)	
)	
SESSA CAPITAL (MASTER), L.P., SESSA CAPITAL GP, LLC,)	
SESSA CAPITAL IM, L.P., SESSA CAPITAL IM GP, LLC,)	
JOHN E. PETRY, PHILIP B. LIVINGSTON, LAWRENCE A.)	
CUNNINGHAM, DANIEL B. SILVERS and CHRIS D.)	
WHEELER,)	
)	
Defendants;)	
<hr/>		
SESSA CAPITAL (MASTER), L.P.,)	NO. 3:16-cv-00527-N
)	
Counterclaim-Plaintiff;)	
)	
v.)	
)	
ASHFORD HOSPITALITY PRIME, INC.,)	
)	
Counterclaim-Defendant;)	
<hr/>		
SESSA CAPITAL (MASTER), L.P.)	
)	
Third-Party Plaintiff,)	
)	
v.)	
)	
ASHFORD INC., ASHFORD HOSPITALITY ADVISORS LLC,)	
MONTY J. BENNETT, DOUGLAS A. KESSLER, STEFANI D.)	
CARTER, CURTIS B. MCWILLIAMS, W. MICHAEL)	
MURPHY, MATTHEW D. RINALDI, and ANDREW)	
STRONG,)	
)	
Third-Party Defendants.)	

**NOTICE OF APPEAL TO THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT**

Notice is hereby given pursuant to Federal Rule of Appellate Procedure 3(a) that Defendants Sessa Capital (Master), L.P., Sessa Capital GP, LLC, Sessa Capital IM, L.P., Sessa Capital IM GP, LLC, John E. Petry, Philip B. Livingston, Lawrence A. Cunningham, Daniel B. Silvers and Chris D. Wheeler, and Counterclaimant and Third-Party Plaintiff Sessa Capital (Master), L.P., appeal to the United States Court of Appeals for the Fifth Circuit from the district court's May 20, 2016 Order (ECF No. 107) denying Sessa Capital's Motion for Preliminary Injunction and Motion to Expand the Scope of Relief in Sessa Capital's Motion for Preliminary Injunction .

Dated: May 23, 2016

SKIERMONT DERBY LLP

Of Counsel:

BARTLIT BECK HERMAN PALENCHAR & SCOTT LLP

Glen E. Summers (*Pro Hac Vice*)
Email: glen.summers@bartlit-beck.com
Joseph Doman (*Pro Hac Vice*)
Email: joe.doman@bartlit-beck.com
John M. Hughes
Email: john.hughes@bartlit-beck.com
1899 Wynkoop Street, 8th Floor
Denver, Colorado 80202
Telephone No. (303) 592-3100
Facsimile No.: (303) 592-3140

John D. Byars (*Pro Hac Vice*)
Email: john.byars@bartlit-beck.com
Courthouse Place
54 W. Hubbard Street, Suite 300
Chicago, Illinois 60654
Telephone No. (312) 494-4400
Facsimile No.: (312) 494-4440

s/ Paul J. Skiermont.
Paul J. Skiermont
Texas State Bar No. 24033073
Email: pskiermont@skiermontderby.com
Eliot J. Walker
Texas State Bar No. 24058165
Email: ewalker@skiermontderby.com
Shellie Stephens
Texas State Bar No. 24079398
Email: sstephens@skiermontderby.com
2200 Ross Ave., Suite 4800W
Dallas, Texas 75201
Telephone No.: (214) 978-6600
Facsimile No.: (214) 978-6601

Attorneys for Sessa Capital (Master), L.P., Sessa Capital GP, LLC, Sessa Capital IM, L.P., Sessa Capital IM GP, LLC, John E. Petry, Philip B. Livingston, Lawrence A. Cunningham, Daniel B. Silvers, Chris D. Wheeler

CERTIFICATE OF SERVICE

On May 23, 2016, I electronically submitted the foregoing document with the clerk of court for the U.S. District Court, Northern District of Texas, using the electronic case filing system of the court. I hereby certify that I have served all counsel and/or pro se parties of record electronically or by another manner authorized by Federal Rule of Civil Procedure 5(b)(2).

s/ Paul J. Skiermont _____

Paul J. Skiermont